

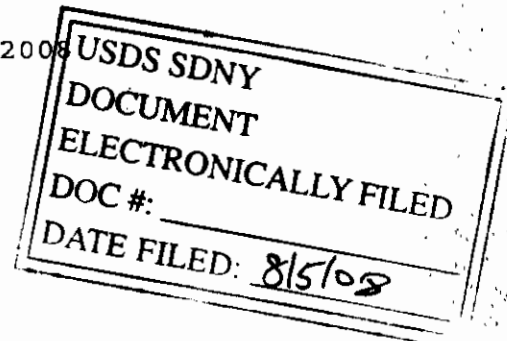


U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

August 4, 2008



BY FACSIMILE

The Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
United States Courthouse
New York, New York 10007

Re: United States v. Aaron D. Underwood
08 Cr. 381 (RJS)

Dear Judge Sullivan:

Trial in the above-captioned case is currently scheduled to begin on August 18, 2008, with requests to charge and motions *in limine* due August 8, 2008. Today, defense counsel informed the Government that Aaron D. Underwood intends to enter a plea of guilty. However, owing to scheduling conflicts, the plea could not be scheduled until August 13, 2008, at 4:15 p.m. In light of the above, the Government respectfully requests that the deadline for motions *in limine* and requests to charge be adjourned until August 14, 2008.

Honorable Richard J. Sullivan

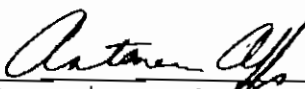
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The Court also imposed today as the deadline for the Government's notice of any Rule 404(b) evidence it intends to introduce at trial. At this time, the Government is not aware of any Rule 404(b) evidence, and accordingly does not intend to introduce Rule 404(b) evidence at trial.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

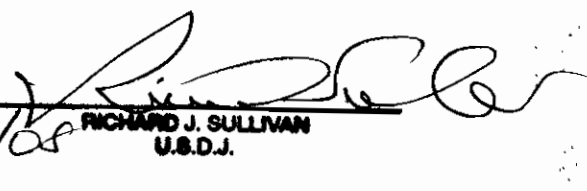
By: 
Antonia M. Apes
Assistant United States Attorney
(212) 637-2198

cc: Sabrina Shroff, Esq. (counsel for Aaron D. Underwood)

SO ORDERED

Date

8/4/08


RICHARD J. SULLIVAN
U.S.D.J.